

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO: _____
v.	:	DATE FILED: _____
DAVID BERNARD	:	VIOLATIONS:18 U.S.C. § 371
WILLIAM DEKEYSER,	:	(conspiracy - 1 count)
a/k/a “Wee,”	:	18 U.S.C. § 1344
a/k/a “Bey,”	:	(bank fraud - 2 counts)
MICHAEL WILSON,	:	notice of additional factors
a/k/a “Miz,”	:	notice of forfeiture
LAMONT BOOKER,	:	
a/k/a “Mont,”	:	
a/k/a “Damon Booker,”	:	
ALLEN PRICE	:	
WILLIAM BERNARD,	:	
a/k/a “Man,”	:	
EDWIN CORREA	:	
SHERIE TAYLOR	:	
PHILLIP STEWART	:	
SEPTEMBER TILLER	:	
DOYYA JOHNSON	:	
ROBERT SPEARS	:	
MIKEL SASS	:	

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. At all times material to this Indictment, Citizens Bank was a financial institution organized and operating under the laws of the United States, with its principal office at 2001 Market Street, Philadelphia, PA, and with deposits insured by the Federal Deposit Insurance Corporation.

2. At all times material to this Indictment, PNC Bank was a financial

institution organized and operating under the laws of the United States, with its principal office at One PNC Plaza, 249 Fifth Avenue, Pittsburgh PA, and with deposits insured by the Federal Deposit Insurance Corporation.

3. From in or around July 2002 to in or around July 2003, in the Eastern District of Pennsylvania and elsewhere, defendants

**DAVID BERNARD,
WILLIAM DEKEYSER,
a/k/a “Wee,”
a/k/a “Bey,”
MICHAEL WILSON,
a/k/a “Miz,”
LAMONT BOOKER,
a/k/a “Mont,”
a/k/a “Damon Booker,”
ALLEN PRICE,
WILLIAM BERNARD,
a/k/a “Man,”
EDWIN CORREA,
SHERIE TAYLOR,
PHILLIP STEWART,
SEPTEMBER TILLER,
DOYYA JOHNSON,
ROBERT SPEARS and
MIKEL SASS**

knowingly conspired and agreed with each other, and with others known and unknown to the grand jury, to knowingly execute and attempt to execute a scheme to defraud Citizens Bank and PNC Bank (collectively, “the banks”), and to obtain monies and funds owned by and under the custody and control of the banks, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

MANNER AND MEANS

4. It was the plan and purpose of the conspiracy for DAVID BERNARD,

WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE and WILLIAM BERNARD to open checking accounts at the banks through confederates (“account openers”), with minimal deposits, never deposit additional funds into the accounts, and steal money from the banks, either

- a. by fraudulently inflating the balances of the checking accounts by the deposit of worthless checks and withdrawing funds from the checking accounts whose balances had been inflated by the deposited worthless checks, or
- b. by withdrawing funds from the checking accounts through automatic teller machines (“ATMs”) during time periods when the ATMs were unable to communicate with the bank’s main computers.

It was further part of the conspiracy that:

5. Defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE and WILLIAM BERNARD recruited persons to join the conspiracy as account openers, including but not limited to defendants EDWIN CORREA, SHERIE TAYLOR, PHILLIP STEWART, SEPTEMBER TILLER, DOYYA JOHNSON, ROBERT SPEARS, MIKEL SASS, and other persons known and unknown to the grand jury, by promising those persons money for opening checking accounts at the banks, and for turning over their personal identification numbers (“PINs”), debit cards, and starter checks.

6. Defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE, and WILLIAM BERNARD drove the account openers to the banks, gave them funds, and directed them to open checking accounts in their own

names.

7. Defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE and WILLIAM BERNARD instructed the account openers that when the banks sent the account openers PINs, debit cards and starter checks, the account openers should contact the defendants and turn the PINs, debit cards and starter checks over to the defendants.

8. Defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE and WILLIAM BERNARD obtained the PINs, debit cards and starter checks that the banks sent the account openers.

9. Defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE and WILLIAM BERNARD deposited checks drawn on accounts with no funds and checks drawn on closed accounts into the accounts opened by the account openers, in order to falsely inflate the balance of the accounts.

10. Defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE and WILLIAM BERNARD withdrew funds from the accounts opened by the account openers, whose balances had been inflated by the deposited worthless checks, by using the PIN numbers and the debit cards associated with those accounts.

11. Defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE and WILLIAM BERNARD used the debit cards for the accounts to withdraw funds from the Citizens Bank accounts through ATMs during time periods when the ATMs were unable to communicate with Citizens Bank's main computers.

12. Defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE and WILLIAM BERNARD took certain account openers known and unknown to the grand jury on “shopping trips” during which the account openers and the defendants purchased furniture, clothes and electronics with worthless starter checks.

13. Defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE, WILLIAM BERNARD, EDWIN CORREA, SHERIE TAYLOR, PHILLIP STEWART, SEPTEMBER TILLER, DOYYA JOHNSON and ROBERT SPEARS obtained approximately \$430,207 from Citizens Bank as a part of the conspiracy.

14. Defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE, WILLIAM BERNARD and ROBERT SPEARS obtained approximately \$171,024 from PNC Bank as a part of the conspiracy.

15. Defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE and WILLIAM BERNARD divided the proceeds of the bank fraud among themselves and certain account openers known and unknown to the grand jury, including but not limited to defendants EDWIN CORREA, SHERIE TAYLOR and ROBERT SPEARS.

OVERT ACTS

In furtherance of the conspiracy, and to accomplish its object, the following overt acts were performed within the Eastern District of Pennsylvania and elsewhere:

1. On various dates from in or about July 2002 through in or about July 2003,

defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE and WILLIAM BERNARD opened approximately 179 checking accounts at Citizens Bank and PNC Bank, each account opening constituting a separate overt act, using as confederates account openers known and unknown to the grand jury, including but not limited to defendants EDWIN CORREA, SHERIE TAYLOR, PHILLIP STEWART, SEPTEMBER TILLER, DOYYA JOHNSON, ROBERT SPEARS and MIKEL SASS.

. 2. On various dates from in or about July 2002 through in or about July 2003, defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE and WILLIAM BERNARD obtained debit cards, PIN numbers and starter checks corresponding to the accounts they opened through the account openers at Citizens Bank and PNC Bank, each act constituting a separate overt act.

 3. On various dates from in or about July 2002 through in or about July 2003, defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE and WILLIAM BERNARD obtained funds belonging to the banks, by use of the accounts they opened through the account openers at Citizens Bank and PNC Bank, by fraudulently inflating the balances of the checking accounts by the deposit of worthless checks, then withdrawing the funds, or by withdrawing funds from the bank accounts through automatic teller machines (“ATMs”) during time periods when the ATMs were unable to communicate with the bank’s main computers, or both, each act constituting a separate overt act.

 4. On or about January 2, 2003, defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE and WILLIAM BERNARD met with each other and with other persons known and unknown to the grand jury to

discuss the conspiracy.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. The allegations of paragraph one of Count One of this Indictment are realleged here.
2. From in or around July 2002 to in or around February 2003, in the Eastern District of Pennsylvania and elsewhere, defendants

**DAVID BERNARD,
WILLIAM DEKEYSER,
a/k/a "Wee,"
a/k/a "Bey,"
MICHAEL WILSON,
a/k/a "Miz,"
LAMONT BOOKER,
a/k/a "Mont,"
a/k/a "Damon Booker,"
ALLEN PRICE,
WILLIAM BERNARD,
a/k/a "Man,"
EDWIN CORREA,
SHERIE TAYLOR,
PHILLIP STEWART,
SEPTEMBER TILLER,
DOYYA JOHNSON,
ROBERT SPEARS, and
MIKEL SASS**

knowingly executed a scheme to defraud Citizens Bank, and to obtain monies and funds owned by and under the custody and control of Citizens Bank, by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

3. It was part of the scheme that defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE, and WILLIAM

BERNARD, using persons known and unknown to the grand jury (“account openers”), including but not limited to defendants EDWIN CORREA, SHERIE TAYLOR, PHILLIP STEWART, SEPTEMBER TILLER, DOYYA JOHNSON, ROBERT SPEARS, and MIKEL SASS opened approximately 110 checking accounts at Citizens Bank with minimal deposits, never deposited additional funds into the accounts, and stole approximately \$430,207 in funds belonging to Citizens Bank, either

- a. by fraudulently inflating the balances of the checking accounts by the deposit of worthless checks and withdrawing funds from the checking accounts whose balances had been inflated by the deposited worthless checks, or
- b. by withdrawing funds from the bank accounts through automatic teller machines (“ATMs”) during time periods when the ATMs were unable to communicate with the bank’s main computers.

It was further part of the scheme that:

Citizens Bank Account No.000-083-9431

4. On or about July 11, 2002, a person known to the grand jury (“K.C.”), aided and abetted by defendants DAVID BERNARD and WILLIAM BERNARD, opened a checking account, number 000-083-9431, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in his own name, with a deposit of \$50.00 supplied by defendants DAVID BERNARD and WILLIAM BERNARD.

5. On or about July 29, 2002, K.C., at the direction of defendants DAVID BERNARD and WILLIAM BERNARD, turned over the personal identification number (“PIN”)

and debit card associated with account number 000-083-9431 to defendants DAVID BERNARD and WILLIAM BERNARD.

6. From on or about July 29, 2002, to on or about August 2, 2002, defendants DAVID BERNARD and WILLIAM BERNARD deposited and caused to be deposited worthless checks totaling approximately \$7,250.00 into account number 000-083-9431.

7. From on or about July 29, 2002, to on or about August 8, 2002, defendants DAVID BERNARD and WILLIAM BERNARD obtained approximately \$4,888.00 in funds belonging to Citizens Bank by withdrawing funds from account number 000-083-9431 via point of sale transactions and ATM withdrawals.

Citizens Bank Account No. 000-703-9399

8. On or about July 18, 2002, a person known to the grand jury ("M.M."), aided and abetted by defendants ALLEN PRICE and LAMONT BOOKER, opened a checking account, number 000-703-9399, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in his own name, with a deposit of \$50 supplied by defendants PRICE and BOOKER.

9. On or about July 29, 2002, M.M., at the direction of defendants ALLEN PRICE and LAMONT BOOKER, turned over the PIN and debit card associated with account number 000-703-9399 to defendants PRICE and BOOKER.

10. From on or about July 29, 2002, to on or about July 31, 2002, defendants ALLEN PRICE and LAMONT BOOKER deposited and caused to be deposited worthless checks totaling approximately \$4,800 into account number 000-703-9399.

11. From on or about July 29, 2002, to on or about August 8, 2002, defendants

ALLEN PRICE and LAMONT BOOKER obtained approximately \$2,291 in funds belonging to Citizens Bank by withdrawing funds from account number 000-703-9399 via ATM withdrawals and point of sale transactions.

Citizens Bank Account No. 060-6106823751

12. On or about August 8, 2002, defendant SHERIE TAYLOR, aided and abetted by defendants MICHAEL WILSON and WILLIAM BERNARD, opened a checking account, number 060-6106823751, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$25.00, supplied by defendants WILSON and WILLIAM BERNARD.

13. On or about August 22, 2002, defendant SHERIE TAYLOR, at the direction of defendants MICHAEL WILSON and WILLIAM BERNARD, turned over the PIN and debit card associated with account number 060-6106823751 to defendants WILSON and WILLIAM BERNARD.

14. From on or about August 26, 2002, to on or about September 6, 2002, defendants MICHAEL WILSON and WILLIAM BERNARD deposited and caused to be deposited worthless checks totaling approximately \$9,600 into account number 060-6106823751.

15. From on or about August 29, 2002, to on or about September 13, 2002, defendants MICHAEL WILSON and WILLIAM BERNARD obtained approximately \$6,832 in funds belonging to Citizens Bank by withdrawing funds from account number 060-6106823751 via ATM withdrawals and point of sale transactions.

Citizens Bank Account No. 060-6106829059

16. On or about August 13, 2002, a person known to the grand jury ("N.C."),

aided and abetted by defendant DAVID BERNARD, opened a checking account, number 060-6106829059, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$25.00 supplied by defendant DAVID BERNARD.

17. On or about August 19, 2002, N.C., at the direction of defendant DAVID BERNARD, turned over the PIN and debit card associated with account number 060-6106829059 to defendant DAVID BERNARD.

18. From on or about August 19, 2002, to on or about August 29, 2002, defendant DAVID BERNARD caused to be deposited approximately \$7,200.00 in worthless checks into account number 060-6106829059.

19. From on or about August 19, 2002, to on or about August 29, 2002, defendant DAVID BERNARD obtained approximately \$2,998.00 in funds belonging to Citizens Bank by making point of sale transaction and ATM withdrawals.

Citizens Bank Account No. 060-6106823875

20. On or about August 14, 2002, defendant MIKEL SASS, aided and abetted by defendant WILLIAM DEKEYSER, opened a checking account, number 060-6106823875, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in his own name, with a deposit of \$25.00 supplied by defendants WILSON and WILLIAM BERNARD.

21. On or about August 28, 2002, defendant MIKEL SASS, at the direction of defendant WILLIAM DEKEYSER, turned over the PIN and debit card associated with account number 060-6106823875 to defendant DEKEYSER.

22. From on or about August 28, 2002, to on or about Sept. 6, 2002, defendant

WILLIAM DEKEYSER caused to be deposited approximately \$12,030.00 in worthless checks into account number 060-6106823875.

23. From on or about August 29, 2002, to on or about September 11, 2002, defendant WILLIAM DEKEYSER obtained approximately \$7,093.00 in funds belonging to Citizens Bank by ATM withdrawals and point of sale transactions.

Citizens Bank Account No. 060-6201077406

24. On or about August 30, 2002, defendant EDWIN CORREA, aided and abetted by defendant WILLIAM DEKEYSER, opened a checking account, number 060-6201077406, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in his own name, with a deposit of \$25.00, supplied by defendant DEKEYSER.

25. On or about September 7, 2002, defendant EDWIN CORREA, at the direction of defendant WILLIAM DEKEYSER, turned over the PIN and debit card associated with account number 060-6201077406 to defendant DEKEYSER.

26. From on or about September 9, 2002, to on or about September 10, 2002, defendant WILLIAM DEKEYSER caused to be deposited approximately \$4,881.00 in worthless checks into account number 060-6201077406.

27. From on or about September 7, 2002, to on or about September 18, 2002, defendant WILLIAM DEKEYSER obtained approximately \$4,772.00 in funds belonging to Citizens Bank by ATM withdrawals, checks written against this account, and point of sale transactions.

Citizens Bank Account No. 060-6200897615

28. On or about September 18, 2002, a person known to the grand jury

(“T.M.”), aided and abetted by defendants MICHAEL WILSON and WILLIAM DEKEYSER, opened a checking account, number 060-6200897615, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$25.00 supplied by defendants WILSON and DEKEYSER.

29. On or about September 26, 2002, T.M., at the direction of defendants MICHAEL WILSON and WILLIAM DEKEYSER, turned over the PIN and debit card associated with account number 060-6200897615 to defendants WILSON and DEKEYSER.

30. No additional deposits were made into this account.

31. From on or about September 26, 2002, to on or about October 2, 2002, defendants MICHAEL WILSON and WILLIAM DEKEYSER obtained approximately \$2,688.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6200897615.

Citizens Bank Account No. 060-6200776893

32. On or about September 19, 2002, defendant DOYYA JOHNSON, aided and abetted by defendants MICHAEL WILSON and WILLIAM DEKEYSER, opened a checking account, number 060-6200776893, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in his own name, with a deposit of \$25.00 supplied by defendants WILSON and DEKEYSER.

33. On or about September 17, 2002, defendant DOYYA JOHNSON, at the direction of defendants MICHAEL WILSON and WILLIAM DEKEYSER, turned over the PIN and debit card associated with account number 060-6200776893 to defendants WILSON and DEKEYSER.

34. No additional deposits were made into this account.

35. From on or about September 17, 2002, to on or about October 18, 2002, defendants MICHAEL WILSON and WILLIAM DEKEYSER obtained approximately \$11,103.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6200776893.

Citizens Bank Account No. 060-6200996583

36. On or about September 30, 2002, a person known to the grand jury ("M.H."), aided and abetted by defendant DAVID BERNARD, opened a checking account, number 060-6200996583, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in his own name, with a deposit of \$10.00 supplied by defendant DAVID BERNARD.

37. On or about October 5, 2002, M.H., at the direction of defendant DAVID BERNARD, turned over the PIN and debit card associated with account number 060-6200996583 to defendant DAVID BERNARD..

38. No additional deposits were made into this account.

39. From on or about October 5, 2002, to on or about October 16, 2002, defendant DAVID BERNARD obtained approximately \$4,900.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6200996583.

Citizens Bank Account No. 060-6200997342

40. On or about October 9, 2002, a person known to the grand jury ("M.J."),

aided and abetted by defendant MICHAEL WILSON, opened a checking account, number 060-6200997342, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in his own name, with a deposit of \$25.00 supplied by defendant WILSON.

41. On or about October 28, 2002, M.J., at the direction of defendant MICHAEL WILSON, turned over the PIN and debit card associated with account number 060-6200997342 to defendant WILSON.

42. No additional deposits were made into this account.

43. From on or about October 28, 2002, to on or about November 6, 2002, defendant MICHAEL WILSON obtained approximately \$4,790.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6200997342.

Citizens Bank Account No. 060-6201290765

44. On or about October 18, 2002, a person known to the grand jury ("J.H."), aided and abetted by defendants DOYYA JOHNSON, MICHAEL WILSON and WILLIAM DEKEYSER, opened a checking account, number 060-6201290765, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in his own name, with a deposit of \$25.00 supplied by defendants WILSON and DEKEYSER.

45. On or about November 26, 2002, J.H., at the direction of defendants MICHAEL WILSON and WILLIAM DEKEYSER, turned over the PIN and debit card associated with account number 060-6201290765 to defendants WILSON and DEKEYSER.

46. No additional deposits were made into this account.

47. From on or about November 26, 2002, to on or about November 29, 2002,

defendants MICHAEL WILSON and WILLIAM DEKEYSER obtained approximately \$1,636.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6201290765.

Citizens Bank Account No. 060-6200702865

48. On or about October 29, 2002, defendant ROBERT SPEARS, aided and abetted by defendant LAMONT BOOKER, opened a checking account, number 060-6200702865, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in his own name, with a deposit of \$60.00 supplied by defendant BOOKER.

49. On or about November 14, 2002, defendant ROBERT SPEARS, at the direction of defendant LAMONT BOOKER, turned over the PIN and debit card associated with account number 060-6200702865 to defendant BOOKER.

50. No additional deposits were made into this account.

51. From on or about November 14, 2002, to on or about November 22, 2002, defendant LAMONT BOOKER obtained approximately \$3,675.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6200702865.

Citizens Bank Account No. 060-6201291060

52. On or about November 5, 2002, defendant PHILLIP STEWART, aided and abetted by defendants MICHAEL WILSON and WILLIAM DEKEYSER, opened a checking account, number 060-6201291060, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in his own name, with a deposit of \$25.00 supplied by defendants WILSON and DEKEYSER.

53. On or about November 28, 2002, defendant PHILLIP STEWART, at the direction of defendants MICHAEL WILSON and WILLIAM DEKEYSER, turned over the PIN and debit card associated with account number 060-6201291060 to defendants WILSON and DEKEYSER.

54. No additional deposits were made into this account.

55. From on or about November 28, 2002, to on or about December 9, 2002, defendants MICHAEL WILSON and WILLIAM DEKEYSER obtained approximately \$5,277.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6201291060.

Citizens Bank Account No. 060-6200704078

56. On or about November 19, 2002, a person known to the grand jury ("A.G."), aided and abetted by defendant LAMONT BOOKER, opened a checking account, number 060-6200704078, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$40.00 supplied by defendant BOOKER.

57. On or about December 16, 2002, A.G., at the direction of defendant LAMONT BOOKER, turned over the PIN and debit card associated with account number 060-6200704078 to defendant BOOKER.

58. No additional deposits were made into this account.

59. From on or about December 16, 2002, to on or about December 23, 2002, defendant LAMONT BOOKER obtained approximately \$4,186.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6200704078.

Citizens Bank Account No. 060-6201022558

60. On or about November 19, 2002, a person known to the grand jury ("M.D."), aided and abetted by defendant WILLIAM BERNARD, opened a checking account, number 060-6201022558, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$25.00 supplied by defendant WILLIAM BERNARD.

61. On or about November 30, 2002, M.D., at the direction of defendant WILLIAM BERNARD turned over the PIN and debit card associated with account number 060-6201022558 to defendant WILLIAM BERNARD.

62. No additional deposits were made into this account.

63. From on or about November 30, 2002, to on or about December 10, 2002, defendant WILLIAM BERNARD obtained approximately \$4,580.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6201022558.

Citizens Bank Account No. 060-6200704272

64. On or about December 3, 2002, a person known to the grand jury ("L.W."), aided and abetted by defendant LAMONT BOOKER, opened a checking account, number 060-6200704272, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$80.00 supplied by defendant BOOKER.

65. On or about December 11, 2002, L.W., at the direction of defendant LAMONT BOOKER, turned over the PIN and debit card associated with account number 060-6200704272 to defendant BOOKER.

66. No additional deposits were made into this account.

67. From on or about December 11, 2002, to on or about December 19, 2002, defendant LAMONT BOOKER obtained approximately \$4,180.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6200704272.

Citizens Bank Account No. 060-6200288163

68. On or about December 9, 2002, a person known to the grand jury ("M.G."), aided and abetted by another person known to the grand jury ("T.G.") and defendants MICHAEL WILSON and WILLIAM DEKEYSER, opened a checking account, number 060-6200288163, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$25.00.

69. On or about December 23, 2002, M.G., at the direction of defendants MICHAEL WILSON and WILLIAM DEKEYSER, turned over the PIN and debit card associated with account number 060-6200288163 to defendants WILSON and DEKEYSER.

70. No additional deposits were made into this account.

71. From on or about December 23, 2002, to on or about December 26, 2002, defendants MICHAEL WILSON and WILLIAM DEKEYSER, obtained approximately \$1,697.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6200288163.

Citizens Bank Account No. 060-6201390956

72. On or about December 10, 2002, a person known to the grand jury ("T.H."), aided and abetted by defendant LAMONT BOOKER, opened a checking account,

number 060-6201390956, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in his own name, with a deposit of \$40.00 supplied by defendant BOOKER.

73. On or about December 16, 2002, T.H., at the direction of defendant LAMONT BOOKER, turned over the PIN and debit card associated with account number 060-6201390956 to defendant BOOKER.

74. No additional deposits were made into this account.

75. From on or about December 16, 2002, to on or about December 23, 2002, defendant LAMONT BOOKER obtained approximately \$3,635.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6201390956.

Citizens Bank Account No. 060-6203811681

76. On or about December 12, 2002, a person known to the grand jury ("P.T."), aided and abetted by defendant WILLIAM DEKEYSER, opened a checking account, number 060-6203811681, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$25.00 supplied by defendant DEKEYSER.

77. On or about December 19, 2002, P.T., at the direction of defendant WILLIAM DEKEYSER, turned over the PIN, debit card and starter checks associated with account number 060-6203811681 to defendant DEKEYSER.

78. No additional deposits were made into this account.

79. From on or about December 19, 2002, to on or about January 24, 2003, defendant WILLIAM DEKEYSER obtained approximately \$15,942.00 in funds belonging to

Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6203811681 and by writing and causing to be written multiple checks against this account.

Citizens Bank Account No. 060-6203775537

80. On or about December 19, 2002, a person known to the grand jury ("E.W."), aided and abetted by defendants MICHAEL WILSON and WILLIAM DEKEYSER, opened a checking account, number 060-6203775537, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$25.00 supplied by defendants WILSON and DEKEYSER.

81. On or about December 24, 2002, E.W., at the direction of defendants MICHAEL WILSON and WILLIAM DEKEYSER, turned over the PIN and debit card associated with account number 060-6203775537 to defendants WILSON and DEKEYSER.

82. No additional deposits were made into this account.

83. From on or about December 24, 2002, to on or about December 31, 2002, defendants MICHAEL WILSON and WILLIAM DEKEYSER obtained approximately \$3,229.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6203775537.

Citizens Bank Account No. 060-6200101500

84. On or about December 19, 2002, defendant SEPTEMBER TILLER, aided and abetted by defendant MICHAEL WILSON, opened a checking account, number 060-6200101500, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$30.00 supplied by defendant WILSON.

85. On or about December 28, 2002, defendant SEPTEMBER TILLER, at the direction of defendant MICHAEL WILSON, turned over the PIN and debit card associated with account number 060-6200101500 to defendant WILSON.

86. No additional deposits were made into this account.

87. From on or about December 28, 2002, to on or about January 7, 2003, defendant MICHAEL WILSON obtained approximately \$3,750.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6200101500.

Citizens Bank Account No. 060-6200703543

88. On or about December 24, 2002, a person known to the grand jury ("M.L."), aided and abetted by defendants LAMONT BOOKER and ALLEN PRICE, opened a checking account, number 060-6200703543, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$60.00 supplied by defendants BOOKER and PRICE.

89. On or about January 5, 2003, M.L., at the direction of defendants LAMONT BOOKER and ALLEN PRICE, turned over the PIN and debit card associated with account number 060-6200703543 to defendants BOOKER and PRICE.

90. No additional deposits were made into this account.

91. From on or about January 5, 2003, to on or about January 19, 2003, defendants LAMONT BOOKER and ALLEN PRICE obtained approximately \$3,778.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6200703543.

Citizens Bank Account No. 060-6203874357

92. On or about January 7, 2003, a person known to the grand jury ("J.J."), at the direction of defendant MICHAEL WILSON, opened a checking account, number 060-6203874357, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$25.00.

93. On or about January 15, 2003, J.J., at the direction of defendant MICHAEL WILSON, turned over the debit card associated with account number 060-6203874357 to defendant WILSON.

94. No additional deposits were made into this account number.

95. From on or about January 15, 2003, to on or about January 19, 2003, defendant MICHAEL WILSON obtained approximately \$1,451.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6203874357.

Citizens Bank Account No. 060-6203874853

96. On or about January 10, 2003, a person known to the grand jury ("K.M."), aided and abetted by defendants LAMONT BOOKER and ALLEN PRICE, opened a checking account, number 060-6203874853, at a Citizens Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$40.00 supplied by defendants BOOKER and PRICE.

97. On or about January 18, 2003, K.M., at the direction of defendants LAMONT BOOKER and ALLEN PRICE, turned over the PIN and debit card associated with account number 060-6203874853 to defendants BOOKER and PRICE.

98. No additional deposits were made into this account.

99. From on or about January 18, 2003, to on or about January 23, 2003, defendants LAMONT BOOKER and ALLEN PRICE obtained approximately \$1,931.00 in funds belonging to Citizens Bank by making ATM withdrawals at times during which the ATM was unable to confirm the true balance of account number 060-6203874853.

In violation of Title 18, United States Code, Section 1344.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. The allegations of paragraph two of Count One of this Indictment are realleged here.

2. From in or around July 2002 to in or around July 2003, in the Eastern District of Pennsylvania and elsewhere, defendants

**DAVID BERNARD,
WILLIAM DEKEYSER,
a/k/a “Wee,”
a/k/a “Bey,”
MICHAEL WILSON,
a/k/a “Miz,”
LAMONT BOOKER,
a/k/a “Mont,”
a/k/a “Damon Booker,”
ALLEN PRICE,
WILLIAM BERNARD,
a/k/a “Man,”
and
ROBERT SPEARS**

knowingly executed a scheme to defraud PNC Bank, and to obtain monies and funds owned by and under the custody and control of PNC Bank, by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

3. It was part of the scheme that defendants DAVID BERNARD, WILLIAM DEKEYSER, MICHAEL WILSON, LAMONT BOOKER, ALLEN PRICE, and WILLIAM BERNARD, using persons known and unknown to the grand jury (“account openers”), including but not limited to defendant ROBERT SPEARS, opened approximately 62 checking accounts at

PNC Bank with minimal deposits, and stole approximately \$171,024 in funds belonging to PNC Bank, by fraudulently inflating the balances of the checking accounts by the deposit of worthless checks, then making withdrawals from the accounts whose balances had been inflated by the deposited worthless checks.

It was further part of the scheme that:

PNC Bank Account No. 8607145544

4. On or about July 11, 2002, a person known to the grand jury ("K.C."), aided and abetted by defendant WILLIAM BERNARD, opened a checking account, number 8607145544, at a PNC Bank branch within the Eastern District of Pennsylvania, using identification in his own name, with a deposit of \$100.00 supplied by defendant BERNARD.

5. On or about July 15, 2002, K.C., at the direction of defendant WILLIAM BERNARD, turned over the PIN and debit card associated with account number 8607145544 to defendant BERNARD.

6. From on or about July 18, 2002, to on or about August 5, 2002, defendant WILLIAM BERNARD caused to be deposited approximately \$2,570.00 in worthless checks into account number 8607145544.

7. From on or about July 18, 2002, to on or about August 6, 2002, defendant WILLIAM BERNARD obtained approximately \$4,929.39 in funds belonging to PNC Bank by withdrawing funds and using the debit card to make point-of-sale purchases from account number 8607145544 whose balance had been inflated by the deposited worthless checks.

PNC Bank Account No. 8607178469

8. On or about, October 29, 2002, defendant ROBERT SPEARS, aided and

abetted by defendant LAMONT BOOKER, opened a checking account, number 8607178469, at a PNC Bank branch within the Eastern District of Pennsylvania, using identification in his own name, with a deposit of \$100.00 supplied by defendant BOOKER.

9. On or about November 14, 2002, defendant ROBERT SPEARS, at the direction of defendant LAMONT BOOKER, turned over the PIN and debit card associated with account number 8607178469 to defendant BOOKER.

10. From on or about November 25, 2002, to on or about November 29, 2002, defendant LAMONT BOOKER caused to be deposited approximately \$3,150.00 in worthless checks into account number 8607178469.

11. From on or about November 26, 2002, to on or about November 29, 2002, defendant LAMONT BOOKER obtained approximately \$4,370.00 in funds belonging to PNC Bank by withdrawing funds and making point of sale purchases from account number 8607178469 whose balance had been inflated by the deposited worthless checks.

PNC Bank Account No. 8607146563

12. On or about November 19, 2002, a person known to the grand jury ("A.G."), aided and abetted by defendant LAMONT BOOKER, opened a checking account, number 8607146563, at a PNC Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$80.00 supplied by defendant BOOKER.

13. On or about December 6, 2002, A.G., at the direction of defendant LAMONT BOOKER, turned over the PIN and debit card associated with account number 8607146563 to defendant BOOKER.

14. On or about December 23, 2002, defendant LAMONT BOOKER caused to

be deposited approximately \$2,100 in worthless checks into account number 8607146563.

15. On or about December 23, 2002, defendant LAMONT BOOKER obtained approximately \$1,850.70 in funds belonging to PNC Bank by withdrawing funds from account number 8607146563 whose balance had been inflated by the deposited worthless checks.

PNC Bank Account No. 8608060622

16. On or about November 19, 2002, a person known to the grand jury ("M.D."), aided and abetted by defendant WILLIAM BERNARD, opened a checking account, number 8608060622, at a PNC Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$100.00 supplied by defendant BERNARD.

17. On or about November 22, 2002, M.D., at the direction of defendant WILLIAM BERNARD, turned over the PIN and debit card associated with account number 8608060622 to defendant BERNARD.

18. On or about December 2, 2002, defendant WILLIAM BERNARD caused to be deposited approximately \$2,450.00 in worthless checks into account number 8608060622.

19. From on or about December 2, 2002, to on or about December 4, 2002, defendant WILLIAM BERNARD obtained approximately \$4,738.00 in funds belonging to PNC Bank by withdrawing funds and using the debit card to make point of sale purchases from account number 8608060622, whose balance had been inflated by the deposited worthless checks.

PNC Bank Account No. 8608168967

20. On or about December 10, 2002, a person known to the grand jury ("T.H."), aided and abetted by defendant LAMONT BOOKER, opened a checking account, number 8608168967, at a PNC Bank branch within the Eastern District of Pennsylvania, using

identification in his own name, with a deposit of \$60.00 supplied by defendant BOOKER.

21. On or about December 23, 2002, T.H., at the direction of defendant LAMONT BOOKER, turned over the PIN and debit card associated with account number 8608168967 to defendant BOOKER.

22. On or about December 23, 2002, defendant LAMONT BOOKER caused to be deposited approximately \$1,450.00 in worthless checks into account number 8608168967.

23. On or about December 23, 2002, defendant LAMONT BOOKER obtained approximately \$1,987.00 in funds belonging to PNC Bank by withdrawing funds and making point of sale purchases from account number 8608168967, whose balance had been inflated by the deposited worthless checks.

PNC Bank Account No. 8606453318

24. On or about January 2, 2003, a person known to the grand jury ("M.L."), aided and abetted by defendants LAMONT BOOKER and ALLEN PRICE, opened a checking account, number 8606453318, at a PNC Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$60.00 supplied by defendants BOOKER and PRICE.

25. On or about January 13, 2003, M.L., at the direction of defendants LAMONT BOOKER and ALLEN PRICE, turned over the PIN and debit card associated with account number 8606453318 to defendants BOOKER and PRICE.

26. On or about January 13, 2003, defendants LAMONT BOOKER and ALLEN PRICE caused to be deposited approximately \$1,100 in worthless checks into account number 8606453318.

27. Also on or about January 13, 2003, defendants LAMONT BOOKER and ALLEN PRICE obtained approximately \$2,078.00 in funds belonging to PNC Bank by withdrawing funds and making point of sale purchases from account number 8606453318 whose balance had been inflated by the deposited worthless checks.

PNC Bank Account No. 8608040576

28. On or about December 18, 2002, a person known to the grand jury ("K.M."), aided and abetted by defendants LAMONT BOOKER and ALLEN PRICE, opened a checking account, number 8608040576, at a PNC Bank branch within the Eastern District of Pennsylvania, using identification in her own name, with a deposit of \$60.00 supplied by defendants BOOKER and PRICE.

29. On or about December 27, 2002, K.M., at the direction of defendants LAMONT BOOKER and ALLEN PRICE, turned over the PIN and debit card associated with account number 8608040576 to defendants BOOKER and PRICE.

30. From on or about January 21, 2003, to on or about January 22, 2003, defendants LAMONT BOOKER and ALLEN PRICE caused to be deposited approximately \$1,100 in worthless checks into account number 8608040576.

31. From on or about January 21, 2003, to on or about January 22, 2003, defendants LAMONT BOOKER and ALLEN PRICE obtained approximately \$2,057.00 in funds belonging to PNC Bank by withdrawing funds and making point of sale purchases from account number 8608040576 whose balance had been inflated by the deposited worthless checks.

In violation of Title 18, United States Code, Section 1344.

Notice of Additional Factors

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offenses charged in Counts One, Two and Three of this Indictment, defendant DAVID BERNARD:

a. Caused a loss or attempted loss to Citizens Bank and PNC Bank in excess of \$200,000, as described in U.S.S.G. § 2B1.1(b)(1)(G).

b. Acted as an organizer and leader of a criminal activity that involved five or more participants and was otherwise extensive, as described in U.S.S.G. § 3B1.1(a).

2. In committing the offenses charged in Counts One, Two and Three of this Indictment, defendant WILLIAM DEKEYSER:

a. Caused a loss or attempted loss to Citizens Bank and PNC Bank in excess of \$30,000, as described in U.S.S.G. § 2B1.1(b)(1)(D).

b. Acted as an organizer and leader of a criminal activity that involved five or more participants and was otherwise extensive, as described in U.S.S.G. § 3B1.1(a).

3. In committing the offenses charged in Counts One, Two and Three of this Indictment, defendant MICHAEL WILSON:

a. Caused a loss or attempted loss to Citizens Bank and PNC Bank in excess of \$30,000, as described in U.S.S.G. § 2B1.1(b)(1)(D).

b. Acted as an organizer and leader of a criminal activity that involved five or more participants and was otherwise extensive, as described in U.S.S.G. § 3B1.1(a).

4. In committing the offenses charged in Counts One, Two and Three of this Indictment, defendant LAMONT BOOKER:

a. Caused a loss or attempted loss to Citizens Bank and PNC Bank in excess of \$30,000, as described in U.S.S.G. § 2B1.1(b)(1)(D).

b. Acted as an organizer and leader of a criminal activity that involved five or more participants and was otherwise extensive, as described in U.S.S.G. § 3B1.1(a).

5. In committing the offenses charged in Counts One, Two and Three of this Indictment, defendant ALLEN PRICE:

a. Caused a loss or attempted loss to Citizens Bank and PNC Bank in excess of \$10,000, as described in U.S.S.G. § 2B1.1(b)(1)(C).

b. Acted as an organizer and leader of a criminal activity that involved five or more participants and was otherwise extensive, as described in U.S.S.G. § 3B1.1(a).

6. In committing the offenses charged in Counts One, Two and Three of this Indictment, defendant WILLIAM BERNARD:

a. Caused a loss or attempted loss to Citizens Bank and PNC Bank in excess of \$30,000, as described in U.S.S.G. § 2B1.1(b)(1)(D).

b. Acted as an organizer and leader of a criminal activity that involved five or more participants and was otherwise extensive, as described in U.S.S.G. § 3B1.1(a).

7. In committing the offenses charged in Counts One and Two of this Indictment, defendant SHERIE TAYLOR:

Caused a loss or attempted loss to Citizens Bank in excess of \$5,000, as described in U.S.S.G. § 2B1.1(b)(1)(B).

8. In committing the offenses charged in Counts One and Two of this Indictment, defendant PHILLIP STEWART:

Caused a loss or attempted loss to Citizens Bank in excess of \$5,000, as described in U.S.S.G. § 2B1.1(b)(1)(B).

9. In committing the offenses charged in Counts One and Two of this Indictment, defendant DOYYA JOHNSON:

Caused a loss or attempted loss to Citizens Bank in excess of \$10,000, as described in U.S.S.G. § 2B1.1(b)(1)(B).

10. In committing the offenses charged in Counts One, Two and Three of this Indictment, defendant ROBERT SPEARS:

Caused a loss or attempted loss to Citizens Bank and PNC Bank in excess of \$10,000, as described in U.S.S.G. § 2B1.1(b)(1)(B).

11. In committing the offenses charged in Counts One and Two of this Indictment, defendant MIKEL SASS:

Caused a loss or attempted loss to Citizens Bank in excess of \$10,000, as described in U.S.S.G. § 2B1.1(b)(1)(B).

NOTICE OF FORFEITURE

As a result of the violations of Title 18, United States Code, Section 1344 charged in Counts Two and Three of this Indictment, defendants

**DAVID BERNARD,
WILLIAM DEKEYSER,
a/k/a “Wee,”
a/k/a “Bey,”
MICHAEL WILSON,
a/k/a “Miz,”
LAMONT BOOKER,
a/k/a “Mont,”
a/k/a “Damon Booker,”
ALLEN PRICE,
WILLIAM BERNARD,
a/k/a “Man,”
EDWIN CORREA,
SHERIE TAYLOR,
PHILLIP STEWART,
SEPTEMBER TILLER,
DOYYA JOHNSON
ROBERT SPEARS and
MIKEL SASS**

shall forfeit to the United States of America pursuant to Title 18, United States Code, Section 982, the following property:

(1) Any and all real and/or personal property which was involved in or traceable to the commission of the violations of Title 18, United States Code, Section 1344 as charged in Counts 2 and 3 of this Indictment, including but not limited to:

(a) the sum of ~~\$601,231~~ in United States currency.

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982, to seek forfeiture of any property of said defendants up to the value of said property listed above as being subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982.

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney